



OFFICE OF THE CITY CLERK

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GLEN I. TAKAHASHI
CITY CLERK

KIMBERLY L. RIBELLIA
Deputy City Clerk

December 8, 2016

Mr. Shawn Hamamoto, Executive Secretary
Neighborhood Commission Office
City and County of Honolulu
Honolulu, Hawaii 96817

Dear Mr. Hamamoto:

I am transmitting the original amendments to the Neighborhood Plan of the Neighborhood Commission Office, filed by your office on December 7, 2016 and to take effect on December 17, 2016.

Sincerely,

A handwritten signature in cursive script, reading "Kimberly Ribellia".

 GLEN I. TAKAHASHI
City Clerk

GT/ah

Attachment

NEIGHBORHOOD COMMISSION

Amendment to sections 2-11-203, 2-11-308, 2-13-105, 2-13-107, 2-14-104, 2-14-106, 2-14-111, 2-14-115, 2-14-118, 2-14-124, 2-17-202, 2-17-203, 2-17-204, and 2-18-101.

Neighborhood Plan

SEPTEMBER 27, 2016

SUMMARY

1. §2-11-203 (a) is amended.
2. §2-11-308 (d) and (e) are repealed
3. §2-13-105 (a) is amended.
4. §2-13-107 (a) is amended.
5. §2-14-104 (b), (d), (e), and (f) are amended.
6. §2-14-106 (a) and (g) are amended.
7. §2-14-111 (a) is amended.
8. §2-14-115 (c) is amended.
9. §2-14-118 (a) and (c) are amended.
10. §2-14-124 (c) is amended.
11. §2-17-202 (b) is amended.
12. §2-17-203 is repealed.
13. §2-17-204 (a) is amended.
14. §2-18-101 (a) is amended.

§2-11-203 Conference of chairs. (a) The commission shall at least biennially assemble a conference of chairs, to include the chair and one vice chair, or their designees, of each board. Not more than two representatives of each board shall attend any conference except if a commissioner is a board member, the board may designate two members besides the commissioner to attend.

DEC 17 2016

[Eff ;am 10/20/08] (Auth: RCH §§4-105(4), 14-102)
(Imp: RCH §§4-105(4), 14-102)

§2-11-308 Quorum and majority vote.

[d] If a quorum is lost by any commissioner leaving the meeting, the meeting shall be suspended and no business shall be conducted. The meeting shall not resume until a quorum is re-established. If the meeting cannot be resumed within a reasonable period of time, it shall be adjourned.

(e) If no quorum is present for a scheduled meeting or quorum is lost and the meeting is adjourned, the presiding officer may remain and listen to persons and allow the presentation of reports from government agencies, elected officials, or engaged presenters, provided that no other commissioners are present and that the presiding officer first reads aloud a statement advising those persons present that:

- (1) Due to lack of quorum, no meeting is being held by the commission and no minutes are being taken;
- (2) Presentations are not being received on behalf of the commission and shall not be in the commission's record;
- (3) Any communication to the presiding officer shall not be considered public testimony and shall not be in the commission's record; and
- (4) Any communication by the presiding officer is not made on behalf of the commission and shall not be on the commission's record.]

DEC 17 2016
[Eff ;am 10/20/08] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102)

§2-13-105 Conflicts of interest. (a) No board member shall:

- (3) Engage in any business transaction or activity, or have a financial interest, direct or indirect, which is incompatible with the proper discharge of a member's official duties or which may tend to impair the independence of judgment in the performance of the member's official duties. When a condition exists which qualifies under this section, the member shall recuse themselves from any discussion or voting relating to the particular issue. [Eff DEC 1, 2013; am 10/20/08]
(Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-13-107 Representative capacity of board members. (a) Each member of a board shall represent the entire district and act responsibly to fulfill the board's democratic and advisory duty. Members shall authorize the Commission Office to publicly post online one form of personal contact information such as but not limited to a phone number, mailing address, email, or fax number.

DEC 17 2016
[Eff; am 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-104 Membership vacancy.

(b) A vacancy shall be filled at a regular meeting of the board. Individuals seeking appointment shall be nominated by a board member. No second is required.

(d) Before a board may take a vote to fill a vacancy, each individual seeking appointment to the vacant seat shall provide evidence, satisfactory to the executive secretary or designee, that the individual is duly qualified to fill the vacancy.

(e) The method of voting shall be a roll call vote with each member stating the name of the nominee for which they cast their vote.

[(e)] (f) If one or more vacancies on a board or the failure of a board to achieve quorum in successive meetings interferes with the ability of a board to conduct its business in three successive meetings, the commission may take action to fill any vacancy. [EffDEC 17 2016am 10/20/08; am 9/14/09; am 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-106 Absences and removal process; resignation. (a)
During the board term, i~~I~~f a board member is absent for three
regular board meetings following their election or appointment
regardless of if they take the oath of office within a one year
period, beginning July 1 and ending June 30, the executive
secretary shall notify the member of the absences in writing
sent by both United States registered or certified mail with
return receipt requested and first class mail at the member's
last known address not less than seven calendar days prior to
the regular board meeting that is held immediately after the
board member's third absence unless the third absence occurs at
the last regularly scheduled meeting for the applicable term.

(b) The notice shall:

- (1) Inform the member of the accumulated three absences;
and
- (2) Inform the member that at the board's next regular
meeting the board will consider whether to remove the
member based on the member's absences and declare the
seat vacant. If the chair asks for a motion to declare
the seat vacant and none is made, the provisions of
this section have been fulfilled. A motion to retain
the member is never in order.

(g) A board member may resign from the seat held at any
time and for any reason in writing to [the board chair and] the
executive secretary. The executive secretary shall provide a
copy to the board chair. [EffDEC 17 2016; am 10/20/08; am
01/06/13] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-111 Meeting notice and agenda. (a) A board shall give written public notice of any and all regular, special, committee, or anticipated executive meetings. The notice shall state the day, date, time, and place of the meeting, and include an agenda which lists all of the items to be considered. In the case of an anticipated executive meeting, the purpose shall be stated on the agenda.

[Eff ^{DEC 17 2016} am 4/19/15; am 10/20/08; am 2/5/11] (Auth: RCH
§14-103(a)) (Imp: RCH §14-104)

§2-14-115 Voting.

(c) Four voting methods shall be allowed to ascertain the decision of the board upon any matter: roll call; by show of hands; by voice vote; and by unanimous consent. The members shall vote in the affirmative, negative, or may abstain, except when electing officers or filling a vacancy in which case the members will cast their vote by stating the name of the person they wish to elect or appoint. [EffDEC 17 2015; am 10/20/08]
(Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-118 Discussion. (a) When a board member or person properly before the board wishes to speak, the member or person shall address the chair, be recognized before proceeding, and shall confine remarks to the subject under discussion, avoiding personalities and abusive language. Remarks that include profanity, are disrespectful, disparaging, or abusive will be considered violations of order and decorum and the maker of such remarks may be removed as provided for in §2-14-117(b).

(c) The boards shall also afford all interested persons an opportunity to present oral testimony on any agenda item at the time the board takes up the agenda item.

[Eff ^{DEC 17 2016} am 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-124 Committees.

(c) [The manner of committee conduct and decision making, whether by consensus, voting, or some other means, may be established by the board or the specific committee.] The board chair shall be a non-voting ex-officio member of all committees unless otherwise directed by the board.

[Eff ~~DEC 17 2016~~ am 4/19/15; am 10/20/08; am 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-17-202 Voter eligibility and registration.

(b) An individual officially listed by the city clerk as a registered active voter for the State election in the city as of the third Friday in February of the election year and cast a ballot in the immediately preceding State primary or general election may be declared by the chief elections officer to be registered as a voter for the board election in the neighborhood district and subdistrict the resident is registered in.

[Eff ^{DEC 17 2016} am 10/20/08; am 2/5/11] (Auth: RCH §14-103(a))
(Imp: RCH §14-104)

[§2-17-203 Change of residence. (a) A registered voter who moves out of the voter's registered district or subdistrict, as applicable, after the voter registration deadline may request a new ballot for the new district or subdistrict, as applicable, within fifteen days before the ballot return deadline by:

- (1) Notifying the commission office in writing and requesting a new ballot for the new district or subdistrict, as applicable; and
- (2) Filing a new affidavit with the commission office setting forth the voter's new primary residence and affirming that the residence is the individual's current primary residence.

(b) Upon receipt of a change of residence request within the period specified in subsection (a), the chief elections officer shall ascertain whether the voter is entitled to receive the new ballot requested.

(c) The Chief Elections Officer shall direct the commission office to issue a new ballot within ten days after receiving a request and affidavit pursuant to subsection (a).

[Eff DEC 17 2016; am 4/19/15; am 10/20/08] (Auth: RCH §14-103(a))
(Imp: RCH §14-104)]

§2-17-204 Candidate eligibility and registration. (a) Any individual, including military personnel, military family members, and legal resident aliens:

- (1) Whose primary residence is in the neighborhood district and subdistrict, as applicable;
- (2) Who is at least eighteen years of age by the third Friday in February of the election year; and
- (3) Who is registered as a voter for the board election in accordance with section 2-17-202;

shall be eligible as a candidate to seek election to a board seat in the neighborhood district or subdistrict, as applicable, in which the individual's primary residence is located. If they fail to select at-large or subdistrict on their registration, the applicant shall be automatically listed as a subdistrict candidate as applicable unless they revise their registration prior to the candidate registration deadline.

[Eff DEC 17 2016, am 4/19/15; am 10/20/08] (Auth: RCH §14-103(a))
(Imp: RCH §14-104)

§2-18-101 Complaints. (a) Any person, board, board member, the executive secretary or the commission may file a complaint against a board, [or] a current board member, or a board committee member, for alleged violation(s) of this plan as follows:

- (1) The executive secretary, at any time, by written recommendation to the commission;
- (2) The commission, at any time, by adoption of a resolution;
- (3) A board or board member, upon the filing of a complaint with the commission office on a form provided by the commission office within forty-five calendar days after the alleged violation(s); or
- (4) A member of the public, upon the filing of a complaint with the commission office on a form provided by the commission office within forty-five calendar days after the alleged violation(s).

[Eff DEC 17 2016, am 4/19/15; am 10/20/08; am and ren §2-18-101 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)